

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being transmitted via the Office electronic filing system in accordance with § 1.6(a)(4).

Dated: 9/2/08

Signature: 

(Cindy Yang)

Docket No.: L7350.0010  
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:  
Tomohiko Ohta

Application No.: 10/588,124

Group Art Unit: 1643

Filed: November 17, 2006

Examiner: A.M. Gussow

For: CARCINOSTATIC METHOD USING  
BRCA1-BARD1 PATHWAY

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT (IDS)

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Pursuant to 37 C.F.R. § 1.56, the attention of the Patent and Trademark Office is hereby directed to the references listed on the attached PTO/SB/08. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the references be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

Timing of Filing of the Information Disclosure Statement:

☐

This IDS is being filed before the First Office Action<sup>1</sup>.

- ☒ This IDS is being filed after the issuance of the First Office Action but before issuance of a Final Office Action<sup>2</sup>.
- ☐ This IDS is being filed after the issuance of a Final Office Action but before payment of the Final Fee<sup>3</sup>.

**Certifications:**

If checked, the undersigned makes the following statement(s):

- ☐ Statement under 37 C.F.R. § 1.97(e):

Each item of information contained in this information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this information disclosure statement; and/or

No item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned after making reasonable inquiry, no item of information contained in this information disclosure statement was known to any individual designated in 1.56(c) more than three months prior to the filing of the information disclosure statement.

- ☐ Statement under 37 C.F.R. § 1.704(d):

Each item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart application and this communication was not received by any individual

designated in 1.56(c) more than thirty days prior to the filing of this information disclosure statement.

**Fee Required by 37 C.F.R. §§ 1.97(c)(2) or 1.97(d)(2):**

☒

If checked, the fee of \$180.00 set forth in 37 C.F.R. § 1.17(p) is attached.

**Materiality:**

While the information and references disclosed in this Supplemental IDS may be “material” pursuant to 37 C.F.R. § 1.56, this submission is not intended to constitute an admission that any patent, publication or other information referred to therein is “prior art” for this invention unless specifically designated as such.

In accordance with 37 C.F.R. § 1.97(g), the filing of this Supplemental IDS shall not be construed to mean that a search has been made or that no other material information as defined in 37 C.F.R. § 1.56(a) exists. It is submitted that the Supplemental IDS is in compliance with 37 C.F.R. § 1.98 and the Examiner is respectfully requested to consider the listed references.

The fee for filing this Supplemental IDS is ONE-HUNDRED AND EIGHTY DOLLARS (\$180.00), and such fee shall be paid concurrently by credit card via the U.S. Patent and Trademark Office’s Electronic Filing System (“EFS”).

The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 50-2215, under Order No. L7350.0010.

Application No.: 10/588,124

Docket No.: L7350.0010

Dated: September 2, 2008

Respectfully submitted,

By   
Cindy Yang

Registration No. 55,749  
DICKSTEIN SHAPIRO LLP  
1177 Avenue of the Americas  
New York, New York 10036-2714  
(212) 277-6500  
Attorney for Applicant